

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**IN RE: ABBOTT LABORATORIES, ET
AL., PRETERM INFANT NUTRITION
PRODUCTS LIABILITY LITIGATION**

MDL NO. 3026

Master Docket No. 1:22-cv-00071

This Document Relates to:

Hon. Rebecca R. Pallmeyer

ALL ACTIONS

PROPOSED REVISED SCHEDULE

In accordance with the Court's February 3, 2023 Order [307], the Parties respectfully submit the following proposed revised schedule for the Court's consideration. The Parties agree as to all of the proposed dates up through October 30, 2023. However, despite conferring, the Parties have competing proposals for the remaining case deadlines. To facilitate the Court's review, the Parties' respective proposals for any disputed deadlines are listed in separate columns.

The Parties will be available to discuss these issues at the June 21, 2023 Status Conference.

Deadline	Agreed Dates
Abbott to provide plaintiffs with the names of additional, potential foreign regulatory and/or lobbying custodians for consideration	06/23/23
Abbott to substantially complete the production of certain non-custodial shared drives and SharePoint sites that Abbott agreed as of 04/12/23 to (i) collect entirely, (ii) apply the search terms agreed to on 02/17/22 and 01/02/23, and (iii) review for potential production	06/23/23
Abbott to substantially complete productions for 10 of the 30 general liability custodians identified to date	06/30/23

Mead Johnson will use best efforts to substantially complete document productions for 18 of its original 23 custodians on or about this date (to the extent not already completed)	06/30/23
Plaintiffs to provide Abbott and Mead Johnson with supplemental interrogatory responses	06/30/23
Plaintiffs to use best efforts to provide Abbott and Mead Johnson with the names of any additional general liability custodians	06/30/23
Abbott will produce documents on a rolling basis for the remaining 20 general liability custodians identified to date	07/01/23 – 09/29/23
Mead Johnson will produce documents on a rolling basis for the remaining general liability custodians identified to date as set forth in more detail below	07/01/23 – 10/30/23
Bellwether Plaintiffs to substantially complete their productions in response to Abbott's and Mead Johnson's requests for production	07/12/23
Mead Johnson will use best efforts to substantially complete document productions for the remaining 5 of its original 23 custodians on or about this date	07/15/23
Parties to meet and confer regarding anticipated production schedule for general liability custodians Plaintiffs designate by 06/30/23	07/21/23
Mead Johnson will use its best efforts to substantially complete document productions for 7 additional custodians on or about this date	07/30/23
Abbott to substantially complete the production from certain non-custodial shared drives and SharePoint sites that Abbott agreed as of 05/15/23 to collect based on application of a separately negotiated set of search terms to folder/file path listings, which will be used to identify documents for review and potential production	07/31/23
Abbott will substantially complete the production of supplemental clinical study data for a population of 23 studies agreed to by the parties to the Illinois state court litigation on 01/23/23	08/15/23
Mead Johnson will use its best efforts to substantially complete document productions for 6 additional custodians on or about this date	08/15/23
Abbott and Mead Johnson to use best efforts to substantially complete document production of "PSURs" (or their jurisdictional equivalents) they submitted to regulators in Canada, Israel, India, or the EU, to the extent such documents exist for the relevant time period	08/15/23
Parties to select 4 initial bellwether trial cases	

(Note: will commence case-specific discovery in trial selections as of this date; general discovery will remain ongoing)	09/14/23	
Abbott to substantially complete productions for general liability custodians	09/29/23	
Parties to provide the Court with a Joint Status Report regarding the progress of fact discovery	09/29/23	
Mead Johnson will use its best efforts to substantially complete document productions for 6 additional custodians on or about this date	10/15/23	
Mead Johnson to substantially complete productions for general liability custodians	10/30/23	
	Defense Proposal	Plaintiff Proposal
Close of fact discovery (Note: this applies to both general and case-specific fact discovery in trial selections)	12/31/23	02/02/24
Plaintiffs to submit expert reports (Note: this applies to both general and case-specific expert discovery in trial selections)	02/12/24	03/22/24
Defendants to submit expert reports	03/25/24	04/19/24
Submission of any rebuttal expert reports	04/12/24	05/17/24
Depositions of experts	04/15/24 – 05/31/24	06/03/24 – 08/02/24
Timeframe to conduct court-ordered mediation in trial selections	06/03/24 – 06/14/24	08/05/24 – 08/16/24
Any summary judgment or <i>Daubert</i> motions	06/21/24	08/30/24
Responses to any summary judgment or <i>Daubert</i> motions	07/26/24	10/11/24
Replies to any summary judgment or <i>Daubert</i> motions	08/16/24	10/25/24
Hearing dates on summary judgment or <i>Daubert</i> motions	08/26/24 – 08/27/24	11/04/24 – 11/08/24
Pretrial Conference date to establish schedule for initial trials	09/09/24	11/19/24

Dated: June 16, 2023

Respectfully Submitted,

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NOTICE OF FILING

PLEASE TAKE NOTICE that on **June 16, 2023**, Defendants Abbott Laboratories and Abbott Laboratories, Inc. filed the attached PROPOSED REVISED SCHEDULE with the United States District Court Northern District of Illinois.

DATED: June 16, 2023

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing PROPOSED REVISED SCHEDULE was electronically filed with the Clerk of Court using CM/ECF this 16th day of June 2023. I also certify that the foregoing document is being served this day on all counsel of record via transmission of Notice of Electronic Filing generated by CM/ECF.

/s/ Stephanie E. Parker